



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 8

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APR - 4 2016

Ref: 8EPR-N

William Avey, Forest Supervisor  
Helena-Lewis and Clark National Forests  
Attn: Tenmile-South Helena Project  
2880 Skyway Drive  
Helena, Montana 59602

Re: Draft Environmental Impact Statement for the Tenmile-South Helena Project;  
CEQ #20160030

Dear Mr. Avey:

The U.S. Environmental Protection Agency Region 8 has reviewed the U.S. Department of Agriculture Forest Service's (USFS's) Draft Environmental Impact Statement (EIS) for the Tenmile-South Helena Project. The USFS has prepared this Draft EIS in cooperation with the Bureau of Land Management (BLM). Our comments are provided for your consideration pursuant to our responsibilities and authority under Section 102(2)(C) of the National Environmental Policy Act (NEPA), and Section 309 of the Clean Air Act (CAA).

**Project Background**

The project area covers approximately 61,395 acres in Lewis and Clark, Powell, and Jefferson Counties, Montana, of which approximately 49,545 acres is USFS land in the Helena National Forest and 1,043 acres is administered by the BLM's Butte Field Office. The project area also includes the majority of the Jericho Mountain Inventoried Roadless Area (IRA) and all of the Lazyman Gulch IRA. The Tenmile-South Helena Project is intended to improve conditions for firefighter and public safety in the event of a wildfire, as well as to maintain consistent water quantity and quality within the City of Helena's Tenmile municipal watershed. The USFS has not identified a Preferred Alternative.

Alternatives identified in the Draft EIS include the following:

- Alternative 1 (No Action);
- Alternative 2 (Proposed Action) includes vegetation treatments (approximately 6,715 acres of commercial removal of fuels, i.e., harvest, and 13,615 acres of prescribed fire treatment), of which approximately 7,935 acres of treatments would occur within the IRAs); 43 miles of temporary road construction which will be decommissioned upon harvest completion; 38 miles of existing road improvements/maintenance; and watershed improvements including upgrading 17 culverts, restoring one wetland, rerouting one existing road out of a wetland, and decommissioning 15 miles of existing road); and
- Alternative 3 (developed in response to significant issues identified during scoping) includes vegetation treatments (approximately 3,832 acres of commercial removal of fuels, i.e., harvest,

and 10,270 acres of prescribed fire treatments), of which approximately 4,902 acres of treatments would occur within the IRAs but no commercial harvest); 24 miles of temporary road construction which will be decommissioned upon harvest completion; 32 miles of existing road improvements/maintenance; and watershed improvements including upgrading 17 culverts, restoring one wetland, rerouting one existing road out of a wetland, and decommissioning 15 miles of existing road).

## **Comments and Recommendations**

We appreciated the opportunity to provide scoping comments for this project with our November 24, 2014 letter. The Draft EIS provides detailed analyses of air and water resource conditions and potential project impacts. We support the design features and best management practices that will be implemented to reduce project impacts on resources. We particularly appreciate the inclusion of detailed design features and measures to protect the air quality, watersheds, water quality, wetlands, and soils of the project area, including resource protection measures that will be required for road construction/maintenance and prescribed fire treatments. We note that proposed watershed improvements such as replacing undersized culverts appear to provide an overall net result of reducing sediment delivery to area streams.

Our remaining recommendations are intended to further inform the decision to be made and the public's understanding of potential impacts to public health and the environment. Based on our review of the Draft EIS, the EPA's comments and recommendations focus on water resource issues. These issues serve as the basis for the EPA's EC-2 rating discussed at the conclusion of this letter.

## **Water Resources**

The EPA considers protection of water resources to be among the most important issues to be addressed in the NEPA analysis for vegetation management activities. As outlined in the Draft EIS, we note that most treatments contemplated under the action alternatives (e.g., harvest, prescribed fire, and road construction) have the potential to adversely impact aquatic resources, including surface and ground waters, wetlands, streams, riparian areas, and their supporting hydrology. We appreciate the identified benefits of watershed improvements and the minimization of project impacts due to implementation of the Tenmile-South Helena project design features and other project measures.

**Public Drinking Water Supply Sources:** The Montana Department of Environmental Quality (MDEQ) has conducted source water assessments for groundwater and surface water sources of public drinking water supplies. The EPA recommends that the Final EIS include a map, appropriate for public dissemination, showing the generalized locations of all source water assessment and protection areas associated with public drinking water supplies. Maps may be available from MDEQ or the EPA upon request. Please note that more specific maps, available from the MDEQ, should be utilized by the USFS and BLM when locating project activities. Please contact the MDEQ Source Water Protection Program Manager, Joe Meek, at 406-444-4806 or [jmeek@mt.gov](mailto:jmeek@mt.gov) for more information.

In addition, the Draft EIS does not contain a discussion of the Upper Tenmile Creek Mining Area Superfund Site, or the EPA and USFS coordination efforts to achieve objectives for surface water quality and sediments within the 53 square mile Superfund Site boundary. We recommend that the Final EIS include information on whether the proposed project activities would positively or negatively

impact ongoing and future remediation efforts there. This information is particularly relevant to the decision-making process and determination of project impacts given that the Tenmile Creek watershed is located within the project area and includes tributaries that supply water to the City of Helena water treatment plant's five intake pipelines. For additional information regarding the Upper Tenmile Creek Mining Area site, please contact Tillman McAdams, the EPA's Remedial Project Manager for the site, at 406-457-5015.

Impacts to Water Quality and Watershed Function Due to Sediment Delivery to Streams: We appreciate the Draft EIS detailed analysis of soil resources, including soil erosion modeling and predictions of detrimental soil disturbance, particularly given the potential water quality impacts that may result from accelerated surface erosion and sediment delivery. To ensure compliance with the USFS Region 1 Soil Quality Standard, the USFS proposes numerous design features to be required for project activities. In particular, we note the project efforts to reduce sediment delivery from roads (e.g., replacement of undersized or damaged culverts) and from vegetation treatment units (e.g., required buffers for no ignition and no mechanical treatment around streams and wetlands/riparian zones).

In addition to the project design features identified in Chapter 2, the Draft EIS Table 178 references "soil conservation measures" and "resource protection measures" that will be applied to the project to minimize or mitigate soil erosion and other impacts to soils. We recommend that this table include a summary description of these measures to inform the public and decision-maker. This information is particularly important given the large number of streams in the project area that are listed as impaired for sediment. With that in mind, the EPA also recommends that the USFS select an alternative that minimizes temporary sediment increases while focusing on a net reduction in sediment loading to impaired streams.

## **Other Considerations**

Documentation of the U.S. Fish and Wildlife Service (USFWS) Recommendations: The Draft EIS identifies two Endangered Species Act (ESA)-listed threatened species, the grizzly bear and Canada lynx, as known or suspected to range through the project area. The Canada lynx is identified as likely to be adversely affected by the proposed project due to reduced snowshoe hare habitat and quality of lynx denning and foraging habitat resulting from vegetation treatments. We recognize that the USFS will discuss its determinations and findings for both ESA-listed threatened species with the USFWS. Documentation of the USFWS's consultation and concurrence, along with its recommendations for project design criteria, mitigation, and monitoring will be a valuable addition to the Final EIS.


Preferred Alternative: The Draft EIS does not identify the USFS's Preferred Alternative. We have noticed since the implementation of the 2012 Forest Planning Rule pre-decisional objection process, some USFS Final EIS's have not included identification of the Preferred Alternative. As required under Section 1502.14 of the Council on Environmental Quality's Regulations for Implementing the National Environmental Policy Act, the Preferred Alternative will need to be identified in the Final EIS unless another law prohibits expression of such a preference. It seems reasonable to include such an analysis in the Final EIS to ensure that the public and interested stakeholders have an opportunity to comment on the Preferred Alternative through an open notice and public comment period. We recommend that the USFS's Preferred Alternative is clearly described in the Final EIS.

## Closing

Consistent with Section 309 of the CAA, it is the EPA's responsibility to provide an independent review and evaluation of the potential environmental impacts of this project. Based on the procedures the EPA uses to evaluate the adequacy of the information and the potential environmental impacts of the proposed project, the EPA is rating the Draft EIS as Environmental Concerns – Insufficient Information (EC-2). The "EC" rating indicates that the EPA review has identified environmental impacts that need to be avoided in order to fully protect the environment. The "2" rating indicates that the EPA has identified additional information, data, analyses, or discussion that we recommend for inclusion in the Final EIS. Because a Preferred Alternative was not identified in the Draft EIS, each of the action alternatives are receiving an EC-2 rating (we do not rate the No Action alternative). A description of the EPA's rating system can be found at: <http://www2.epa.gov/nepa/environmental-impact-statement-rating-system-criteria>.

We appreciate the opportunity to participate in the review of this project, and are committed to working with you as you prepare the Final EIS. If we may provide further explanation of our comments during this stage of your planning process, please contact me at 303-312-6704, or your staff may contact Amy Platt, at 303-312-6449 or [platt.amy@epa.gov](mailto:platt.amy@epa.gov).

Sincerely,

  
for

Philip S. Strobel  
Director, NEPA Compliance and Review Program  
Office of Ecosystems Protection and Remediation